

THE HON'BLE SRI JUSTICE V.V.S.RAO

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WRIT PETITION No.23091 of 2003

21.12.2005

Between:

Gulla Rangaiah, S/o.Sayanna

And others

... Petitioners

AND

The Station House Officer, Jedcharla P.S. Mahabubnagar District

And others

...Respondents

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ORDER:

The petitioners allege that at the behest of the fifth respondent, the first respondent is threatening the petitioners to withdraw the cases pending in the Court and also seized the Auto bearing No.AP-22U-3945. Therefore, they filed the present writ petition seeking appropriate Writ declaring the action of the respondents as illegal.

It is the case of the petitioners that the fifth respondent approached the first petitioner to sell the immovable properties, which was declined. Therefore, the fifth respondent allegedly obtained signature of the first petitioner on certain sale deeds. Having come to know the same, the first petitioner filed O.S.No.22 of 2002 on the file of the Court of the Senior Civil Judge, Mahabubnagar and the same is pending. In the meanwhile, the Assistant Sub Inspector of Police from the office of the first

respondent asked the petitioners to go over to the Police Station where they were made to sit from 7.00 a.m. to 12.00 p.m. on 07.10.2003 without disclosing any reason. The petitioners also allege that the Inspector of Police directed the first petitioner to withdraw the suit and criminal cases, which were filed against the fifth respondent. It is also alleged that when the brother of the fourth petitioner was running the auto, the same was seized. Hence, the present writ petition.

The Sub Inspector of Police, P.S. Jadcherla filed a counter affidavit denying any knowledge regarding the disputes between the petitioners and fifth respondent and filing of the suit by first petitioner. The allegation of seizure of auto is also denied. It is further stated that the first petitioner made a representation to the second respondent, which was forwarded to the first respondent. After receiving the same, preliminary enquiry was conducted and report was submitted to the second respondent, who directed to register a crime and accordingly crime No.140 of 2003 under Section 420 of Indian Penal Code, 1860 (IPC) was registered and investigation was taken up. All other allegations made by the petitioners are denied.

The second respondent – Superintendent of Police, Mahabubnagar has also filed a counter affidavit denying the allegations made by the petitioners.

Learned Government Pleader for Home submits that after completing the investigation in crime No.140 of 2003, a final report was filed on 31.3.2005 reporting the case to be false. In that view of the matter, the petitioners have any grievance, they may approach the Magistrate competent to take cognizance of the case and file their objections on the final report. Though the counter affidavits are filed by the first respondent on 11.11.2003 and by the second respondent on 21.1.2004, no reply affidavit is filed denying the counter averments. It shows that those averments stand uncontroverted.

The writ petition, with the above observations, is accordingly dismissed. No costs.

December 21, 2005. **(V.V.S.RAO,J)**

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